

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
STEPHANIE A. GALLAGHER
UNITED STATES MAGISTRATE JUDGE

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November 7, 2018

LETTER TO COUNSEL

RE: *CX Reinsurance Company Limited v. City Homes, Inc., et al.*,
Civil No. JKB-17-1476

Dear Counsel:

I am in receipt of the October 31, 2018 letter written by counsel for non-party Pennsylvania National Mutual Casualty Insurance Company ("Penn National"). [ECF 80]. Penn National cites a concern about documents CX Reinsurance Company Limited ("CX Re") may produce in discovery in this case. *Id.* at 1. Specifically, Penn National notes the possibility that the requested documents contain "proprietary, confidential, and otherwise privileged information," and that their "disclosure...to City Homes and its current counsel, the latter of whom continues to actively litigate against Penn National in other lead paint matters currently pending, would irreparably impair the rights and privileges accorded to Penn National by law." *Id.* As a result, Penn National requests to review "the documents that CX Re has been ordered to produce" so that it may determine if additional action is necessary. *Id.* at 2.

I am not privy to the details of the documents requested in this case, as they pertain to Penn National, and I do not know whether this issue may affect a handful or a significant number of records. However, counsel for CX Re is ordered to confer with counsel for Penn National to discuss the anticipated contents of the production. To the extent that Penn National seeks to assert privilege over specific documents CX Re intends to produce, this Court will consider that request on its merits once the documents are identified.

Despite the informal nature of this letter, it should be flagged as an opinion and docketed as an order.

Sincerely yours,

/s/

Stephanie A. Gallagher
United States Magistrate Judge